

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE September 26, 1983

SUBJECT Confidentiality - Waived or Withdrawn Claims

FROM Harless R. Benthall  
Associate Regional Counsel (60RC-G)TO SAM NOTT, Chief  
Enforcement Section  
Superfund Branch (6AW-SE)

Enclosed for filing in Hazsit Files are materials referred to Office of Regional Counsel for resolution of "confidentiality" claims in accordance with 40 C.F.R. Part 2.

Each represents our successfully "calling their bluff" with formal legal notice, since each claim was withdrawn or waived by the submitter.

---Two were recent letter responses from earlier contributors to the Bio-Ecology site, TX00175:

- Carrier Corporation (Syracuse, New York) *TXD008063 414*
- Neal Plating Co. (Bells, Texas)

*NECHES BUTANE PRODUCERS CO.*

---Nine were Superfund "notifiers" submitted to EPA in 1981, for which submitter has withdrawn or waived claim of confidentiality:

- Texas Pipe Line Co. (LA03506)
- Texaco/Port Arthur Chemical Plant (TX02143)
- Texaco/Neches Chem. Plant (TX11975)
- Conroe Chemical Plant/Texaco (TX00761)
- Texaco/Austin Laboratories (TX11991)
- Texaco/"Neches Bayou Common" site (TX04774)
- Texaco/"Neches Butane" NBPC site (TX02186)
- Texaco/"Neches Butane"/"Sara Jane Rd." (TX11983)
- Texaco/Lamesa Gasoline Plant--Midway, Texas (TX09091)

All confidential Superfund "notifiers" have received formal notice requesting full substantiation of the claim of confidentiality.

The only remaining notifiers which require further legal attention (having received a response other than waiver) are from Dresser Industries (four items) and Borden Chemical Company (twelve items).

SUPERFUND FILE

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